

Does This Extension Allow Nationals of Nicaragua (or Aliens Having No Nationality Who Last Habitually Resided in Nicaragua) Who Entered the United States after December 30, 1998, to File for TPS?

No. This is a notice of an extension of the TPS designation for Nicaragua, not a notice of re-designation for Nicaragua for TPS. An extension of TPS does not change the required dates of continuous residence and continuous physical presence in the United States and does not expand TPS availability to include nationals of Nicaragua (or aliens having no nationality who last habitually resided in Nicaragua) who arrived in the United States after the required dates for continuous physical presence, January 5, 1999, and continuous residence, December 30, 1998.

Is Late Initial Registration Possible?

Yes. In addition to timely re-registration, late initial registration is possible for some persons from Nicaragua under 8 CFR 244.2(f)(2). To apply for late initial registration an applicant must:

- (1) be a national of Nicaragua (or an alien who has no nationality and who last habitually resided in Nicaragua);
- (2) have been continuously physically present in the United States since January 5, 1999;
- (3) have continuously resided in the United States since December 30, 1998; and,
- (4) be admissible as an immigrant, except as otherwise provided under section 244(c)(2)(A) of the Act, and not ineligible under section 244(c)(2)(B) of the Act.

Additionally, the applicant must be able to demonstrate that, during the registration period from January 5, 1999, through July 5, 2000, he or she:

- (1) was a nonimmigrant or had been granted voluntary departure status or any relief from removal,
- (2) had an application for change of status, adjustment of status, asylum, voluntary departure, or any relief from removal pending or subject to further review or appeal,
- (3) was a parolee or had a pending request for parole, or
- (4) was the spouse or child of an alien currently eligible to be a TPS registrant. 8 CFR 244.2(f)(2).

An applicant for late initial registration must register no later than sixty (60) days from the expiration or termination of the conditions described above. 8 CFR 244.2(g).

Notice of Extension of Designation of Nicaragua Under the TPS Program

By the authority vested in me as Attorney General under sections 244(b)(1), (b)(3)(A), and (b)(3)(C) of the Act, I have consulted with the appropriate Government agencies concerning whether the conditions under which Nicaragua was designated for TPS continue to exist. As a result, I determine that the conditions for designation of TPS for Nicaragua continue to be met, specifically that the damage from Hurricane Mitch persists and Nicaragua remains temporarily unable to handle adequately the return of its nationals. 8 U.S.C. 1254a(b)(3)(A).

Accordingly, I order as follows:

- (1) The designation of Nicaragua under section 244(b) of the Act is extended for an additional 12-month period from July 5, 2001, to July 5, 2002. 8 U.S.C. 1254a(b)(3)(C).

- (2) I estimate that there are approximately 5,300 nationals of Nicaragua (or aliens who have no nationality and who last habitually resided in Nicaragua) who have been granted TPS and who are eligible for re-registration.

- (3) In order to be eligible for TPS during the period from July 5, 2001, to July 5, 2002, a national of Nicaragua (or an alien who has no nationality and who last habitually resided in Nicaragua) who has already received a grant of TPS under the Nicaragua TPS designation or who is eligible to file under the late filing provision of 8 CFR 244.2(f)(2) must register for TPS by filing a new Application for Temporary Protected Status, Form I-821, along with an Application for Employment Authorization, Form I-765, within the 90-day period beginning on May 8, 2001 and ending on August 6, 2001. Failure to register without good cause will result in the withdrawal of TPS. 8 CFR 244.17(c).

- (4) At least 60 days before this extension terminates on July 5, 2002, the Attorney General will review the designation of Nicaragua under the TPS program and determine whether the conditions for designation continue to be met. 8 U.S.C. 1254a(b)(3)(A). Notice of that determination, including the basis for the determination, will be published in the **Federal Register**. 8 U.S.C. 1254a(b)(3)(A).

- (5) Information concerning the Nicaraguan TPS program will be available at local Service offices upon publication of this notice and on the INS website at <http://www.ins.usdoj.gov>.

Dated: May 1, 2001.

John Aschroft,

Attorney General.

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DEPARTMENT OF LABOR

Employment and Training Administration

Wagner-Peyser Act Final Planning Allotments for Program Year (PY) 2001

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This notice announces the final planning allotments for Program Year (PY) 2001 (July 1, 2001 through June 30, 2002) for basic labor exchange activities provided under the Wagner-Peyser Act.

FOR FURTHER INFORMATION CONTACT: Timothy S. Felegie, Office of Workforce Security, 200 Constitution Avenue NW., Room S-4231, Washington, DC 20210. Telephone: (202) 693-2934 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: In accordance with section 6(b)(5) of the Wagner-Peyser Act, 29 U.S.C. 49e(b)(5), the Employment and Training Administration is publishing final planning allotments for each State for program Year (PY) 2001 (July 1, 2001, through June 30, 2002). Preliminary planning estimates were provided to each State on March 6, 2001. Funds are distributed in accordance with formula criteria established in section 6(a) and (b) of the Wagner-Peyser Act. Civilian labor force (CLF) and unemployment data for Calendar Year 2000 are used in making the formula calculations.

The total amount of funds currently available for distribution is \$761,735,000. The Secretary of Labor shall set aside up to 3 percent of the total available funds to assure that each State will have sufficient resources to maintain statewide employment services, as required by section 6(b)(4) of the Act, 29 U.S.C. 49e(b)(4). In accordance with this provision, \$22,372,050 is set aside for administrative formula allocation. These funds are included in the total planning allotment. The funds that are set aside are distributed in two steps to States which have lost in relative share of resources from the prior year. In Step 1, States which have a CLF below one million and are below the median CLF density are maintained at 100 percent of their relative share of prior year resources. The remainder is distributed

in Step 2 to all other States losing in relative share from the prior year, but which do not meet the size and density criteria for Step 1.

Postage costs incurred by States during the conduct of employment service (ES) activities are billed directly to the Department of Labor by the U.S. Postal Service. The total final planning allotment reflects \$16,000,000, or 2.1 percent of the total amount available, withheld from distribution to finance

postage costs associated with the conduct of ES business. Pursuant to Section 7(b) of the Act, 29 U.S.C. 49f(b), ten percent of the total sums allotted to each State shall be reserved for use by the Governor to provide performance incentives for public ES offices and programs; services for groups with special needs; and for the extra costs of exemplary models for delivering job services.

Differences between preliminary planning estimates and final planning allotments are caused by the use of Calendar Year 2000 data as opposed to the earlier data (12 months ending September 2000) used for preliminary planning estimates.

Signed at Washington, DC, this 25th day of April, 2001.

Grace Kilbane,

Administrator, Office of Workforce Security.

BILLING CODE 4510-30-M

Appendix 1-1

**U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser
Final PY 2001 Allotments to States**

Alabama	\$10,959,154
Alaska	8,106,495
Arizona	11,647,788
Arkansas	6,349,907
California	89,216,633
Colorado	10,324,433
Connecticut	8,314,954
Delaware	2,082,968
District of Columbia	3,391,931
Florida	35,254,594
Georgia	19,718,441
Hawaii	3,220,552
Idaho	6,754,153
Illinois	31,998,185
Indiana	14,316,804
Iowa	6,980,905
Kansas	6,671,747
Kentucky	9,820,530
Louisiana	11,075,973
Maine	4,016,631
Maryland	13,703,736
Massachusetts	15,324,703
Michigan	24,357,510
Minnesota	12,471,659
Mississippi	7,309,108
Missouri	13,680,091
Montana	5,519,529
Nebraska	6,633,389
Nevada	5,365,563
New Hampshire	2,993,664
New Jersey	21,130,170
New Mexico	6,193,882
New York	47,277,511
North Carolina	18,608,828
North Dakota	5,620,532
Ohio	28,306,057
Oklahoma	8,125,646
Oregon	9,557,836
Pennsylvania	30,125,489
Puerto Rico	10,329,110
Rhode Island	2,594,102
South Carolina	9,751,496
South Dakota	5,194,663
Tennessee	13,719,435
Texas	51,499,427
Utah	10,215,650
Vermont	2,433,477
Virginia	15,820,479
Washington	16,179,605
West Virginia	5,945,805
Wisconsin	13,675,955
Wyoming	4,030,272
State Total	743,917,157
Guam	348,947
Virgin Islands	1,468,896
Postage	16,000,000

Appendix 1.2

**U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser)
Final PY 2001 Allotments to States**

State	Basic Formula	3% Distribution			Total Allotment
		Step 1*	Step 2**	Total	
Alabama	\$10,949,709	\$0	\$9,445	\$9,445	\$10,959,154
Alaska	7,076,435	1,030,060	0	1,030,060	8,106,495
Arizona	11,263,996	0	383,792	383,792	11,647,788
Arkansas	6,212,856	0	137,051	137,051	6,349,907
California	89,216,633	0	0	0	89,216,633
Colorado	9,889,590	0	434,843	434,843	10,324,433
Connecticut	7,471,113	0	843,841	843,841	8,314,954
Delaware	2,020,326	0	62,642	62,642	2,082,968
District of Columbia	3,047,702	0	344,229	344,229	3,391,931
Florida	35,060,829	0	193,765	193,765	35,254,594
Georgia	19,718,441	0	0	0	19,718,441
Hawaii	2,952,044	0	268,508	268,508	3,220,552
Idaho	5,895,930	858,223	0	858,223	6,754,153
Illinois	31,998,185	0	0	0	31,998,185
Indiana	14,019,699	0	297,105	297,105	14,316,804
Iowa	6,713,222	0	267,683	267,683	6,980,905
Kansas	6,671,747	0	0	0	6,671,747
Kentucky	9,699,310	0	121,220	121,220	9,820,530
Louisiana	11,075,973	0	0	0	11,075,973
Maine	3,506,254	510,377	0	510,377	4,016,631
Maryland	13,432,092	0	271,644	271,644	13,703,736
Massachusetts	13,935,646	0	1,389,057	1,389,057	15,324,703
Michigan	24,294,824	0	62,686	62,686	24,357,510
Minnesota	12,471,659	0	0	0	12,471,659
Mississippi	7,309,108	0	0	0	7,309,108
Missouri	13,567,030	0	113,061	113,061	13,680,091
Montana	4,818,185	701,344	0	701,344	5,519,529
Nebraska	5,790,511	842,878	0	842,878	6,633,389
Nevada	4,798,067	567,496	0	567,496	5,365,563
New Hampshire	2,993,664	0	0	0	2,993,664
New Jersey	19,885,779	0	1,244,391	1,244,391	21,130,170
New Mexico	5,406,851	787,031	0	787,031	6,193,882
New York	45,306,387	0	1,971,124	1,971,124	47,277,511
North Carolina	18,608,828	0	0	0	18,608,828
North Dakota	4,906,353	714,179	0	714,179	5,620,532
Ohio	28,220,985	0	85,072	85,072	28,306,057
Oklahoma	7,352,488	0	773,158	773,158	8,125,646
Oregon	9,344,869	0	212,967	212,967	9,557,836
Pennsylvania	29,369,046	0	756,443	756,443	30,125,489
Puerto Rico	9,513,554	0	815,556	815,556	10,329,110
Rhode Island	2,461,082	0	133,020	133,020	2,594,102
South Carolina	9,501,667	0	249,829	249,829	9,751,496
South Dakota	4,534,598	660,065	0	660,065	5,194,663
Tennessee	13,486,110	0	233,325	233,325	13,719,435
Texas	50,989,725	0	509,702	509,702	51,499,427
Utah	9,178,918	0	1,036,732	1,036,732	10,215,650
Vermont	2,124,265	309,212	0	309,212	2,433,477
Virginia	14,918,805	0	901,674	901,674	15,820,479
Washington	16,179,605	0	0	0	16,179,605
West Virginia	5,190,296	755,509	0	755,509	5,945,805
Wisconsin	13,675,955	0	0	0	13,675,955
Wyoming	3,518,161	512,111	0	512,111	4,030,272
FORMULA TOTAL	721,545,107	8,248,485	14,123,565	22,372,050	743,917,157
Guam	348,947	0	0	0	348,947
Virgin Islands	1,468,896	0	0	0	1,468,896
Indicia Postage	16,000,000	0	0	0	16,000,000
NATIONAL TOTAL	\$739,362,950	\$8,248,485	\$14,123,565	\$22,372,050	\$761,735,000

* Funds are allocated to the 12 States whose relative share decreased from PY 2000 to the PY 2001 basic formula amount and which have a Civilian Labor Force (CLF) below one million and are below the median CLF density. These States are held harmless at 100% of their PY 2000 relative share.

** The balance of the 3% funds are distributed to the remaining 29 States losing in relative share from PY 2000 to their PY 2001 total allotment amount.